



Judicial Discipline & Disability Commission

JUDGE THOMAS F. BUTT
Chairman

Justice Building
625 Marshall Street
Little Rock, AR 72201
(501) 682-1050

JAMES A. BAC
Executive Director

WILLIAM S. ARNOLD
Vice-Chairman

May 20, 1991

*Honorable Ted Capeheart
Circuit/Chancery Judge
P.O. Box 546
Ashdown, AR 71822*

RE: Case # 90-169

Dear Judge Capeheart,

At a probable cause hearing on May 17, 1991, the Judicial Discipline and Disability Commission reviewed the sworn complaint filed by Attorney Richard Slagle, your response to that complaint, the results of its investigations and other material. The allegations in the complaint were that:

- 1. You were involved in an affair with a female attorney which reflected adversely on the integrity of the judiciary.*
- 2. You improperly attempted to influence the appointment of a judge in a divorce case.*
- 3. Your mental competency was called into question.*
- 4. You gave preferential treatment to the female attorney with whom you had an affair.*
- 5. You attempted to avoid being served with a subpoena.*
- 6. You employed your mother in violation of the nepotism rule in the Code of Judicial Conduct.*

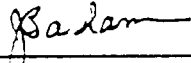
The Commission considered all of the evidence, the facts and circumstances surrounding the allegations. Applying this material to the Code of Judicial Conduct the Commission found insufficient cause to proceed as to allegations 2 through 6 and dismissed those allegations.

The Commission found, under the circumstances of this case, your having an affair with a female attorney denigrated the public confidence in the integrity of the judiciary and was inconsistent with maintaining the high standards of conduct essential in preserving the integrity of the judiciary. This constitutes a violation of Canons 1 and 2A of the Arkansas Code of Judicial Conduct. It is the judgment of the Commission that you be and you are hereby admonished.

This public admonition constitutes adequate discipline and no further action is warranted. The Commission suggests you make every effort to adhere to the provisions of the Code of Judicial Conduct.

This Commission action is public information.

BY DIRECTION OF THE COMMISSION:



James A. Badami
Executive Director

lcc| Mr. Richard Slagle
1401 Malvern, Suite 180
Hot Springs, AR 71901